IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5347 of 1987

For Approval and Signature:

Hon'ble MR.JUSTICE R.R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

SHARDABEN D RATHOD

Versus

DIST DEVELOPMENT OFFICER

Appearance:

Ms Mita Panchal with Mr GM AMIN for Petitioner

NOTICE SERVED for Respondent No. 1, 2

CORAM : MR.JUSTICE R.R.TRIPATHI

Date of decision: 28/03/2000

ORAL JUDGEMENT

Ms Mita Panchal for Mr G.M. Amin for the petitioner. The present petition was filed on 5.10.1987 against an apprehended transfer from village Shapa, Taluka Dehgam and it is the case of the petitioner that

in fact it was at her request that she was transferred from village Devkaran-na-Muvada in Taluka Dehgam and she resumed her duty at village Shapa only on 21.8.1987. Thereafter she came to be served with the order of transfer dated 5.10.1987 by which she was transferred back to Devkaran-na-Muvada. It is stated in that order of transfer that the transfer order of the petitioner from Devkaran-na-Muvada to Shapa was stayed by this Court and pursuant to that stay, the transfer order of the petitioner from Devkaran-na-Muvada to Shapa was not to be implemented and hence that order dated 3/5.10.1987 was passed. This Court was pleased to pass following order on 6.10.1987 :-

"Leave to amend granted. Rule. Ad interim relief in terms of para 15(3). Direct Service permitted."

2 After the aforesaid orders, this matter reached its hearing only on 21.1.2000 and on that day this Court passed an order as under:-

"Miss M.S. Panchal appearing on behalf of Mr G.M. Amin wants some time to find out the present situation of the petitioner and subsequent develoment of the matter. Thus the request is granted. Matter is adjourned to 11.2.2000."

3 It is thereafter that the matter has reached its hearing today. Today Ms Panchal has stated that by lapse of time the petition has become infructuous. Hence, Rule is discharged with no order as to costs. Interim relief granted earlier is vacated.

28.03.2000 (R.R. TRIPATHI J.)
(mohd)